

Message Text

LIMITED OFFICIAL USE

PAGE 01 MANAGU 00320 241704Z
ACTION ARA-14

INFO OCT-01 ISO-00 HA-05 SSO-00 /020 W
-----120324 241707Z /43
O 241607Z JAN 78
FM AMEMBASSY MANAGUA
TO SECSTATE WASHDC IMMEDIATE 5462

LIMITED OFFICIAL USE MANAGUA 0320

E.O. 11652: NA
TAGS: SHUM, NUU
SUBJECT: HUMAN RIGHTS REPORT

REF: STATE 013422

1. HUMAN RIGHTS REPORT TRANSMITTED REFTEL DOES CONTAIN INACCURACIES
OF FACT OR IMPLICATION AS FOLLOWS:

A. (INTRODUCTORY PARA) AMEND THE STATEMENT TO READ: "IN EARLY 1977,
PRESIDENT SOMOZA ORDERED THE NATIONAL GUARD COMMANDERS TO AVOID
WHATEVER ABUSE." REASON: PRESIDENT SOMOZA'S ORDERS, AS THEY WERE
REPORTED TO THE EMBASSY, WERE NOT AN ACCUSATION AGAINST THE GN FOR
PAST ABUSES BUT RATHER WERE FUTURE-ORIENTED INSTRUCTIONS TO AVOID
ABUSES OR THE APPEARANCE OF ABUSES. THE CURRENT VERSION IMPLIES
PRESIDENT SOMOZA WAS AWARE OF SERIOUS ABUSES PRIOR TO EARLY 1977
BUT HAD NOT ORDERED THE GN TO CEASE THEM. THIS IMPLICATION IS NOT
SUPPORTED BY AN AVAILABLE INFORMATION.

B. (SECTION ON TORTURE) CHANGE STATEMENT REGARDING NICARAGUAN
BISHOPS AND AMNESTY INTERNATIONAL'S CHARGES OF TORTURE TO STATE:
"ALL REFERRED TO EVENTS IN 1975 AND 1976." REASON: NEITHER
AMNESTY INTERNATIONAL REPORT NOR JANUARY 1977 PASTORAL LETTER
REFERRED TO TORTURE OF DETAINEES DURING 1977 AS IMPLIED AS NOW
WRITTEN. THE SUBSEQUENT SENTENCE IN THIS SECTION RINGS THE SITUATION
UP TO DATE WITHOUT REFERENCE TO THE CHURCH OR AMENSTY.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MANAGU 00320 241704Z

C. (SECTION ON ARBITRARY ARREST) CHANGE FIRST SENTENCE TO READ
"LENGTHY AND SOMETIMES INCOMMUNICADO DETENTION ON SECURITY GROUNDS
WITHOUT FORMAL CHARGE, WHICH PREVIOUSLY OCCURRED, APPEARS TO HAVE
BEEN CURTAILED OR TERMINATED FOLLOWING THE LIFTING OF THE STATE OF
SIEGE." REASON: TO THE BEST OF EMBASSY INFORMATION, THIS PRACTICE
WAS NOT COMMON BUT RATHER APPLIED IN ONLY A FEW OF THE CASES OF

FSLN TRIAL DEFENDANTS AND THE FEW CAMPESINO CASES WHERE THE DETAINEES WERE SUBSEQUENTLY RELEASED AT THE END OF MARTIAL LAW. WE ARE UNABLE TO DEFINITELY SUBSTANTIATE THAT ANY SUCH DETENTION CONTINUES TO BE PRACTICED SINCE THE END OF MARTIAL LAW, AND THEREFORE CANNOT DISPROVE THE GOVERNMENT'S STATEMENT THAT ALL LONG-TIME PRISONERS HAVE BEEN SENTENCED.

D. IN SAME SECTION, RECORDS CHECK OF EMBASSY FILES RESULTED IN IDENTIFICATION OF ABOUT SIXTY PERSONS INCARCERATED AS DESCRIBED. BECAUSE SOME OF THOSE PERSONS MIGHT HAVE BEEN RELEASED BY THE TIME OF THE END OF 1977 AND THERE COULD BE OTHERS WHO DO NOT APPEAR IN EMBASSY FILES, WE CHOSE TO DESCRIBE NUMBER AS BETWEEN 50 AND 100. HOWEVER, REFERENCE TO "AROUND ONE HUNDRED PERSONS INCARCERATED" IS LIKELY AN OVERSTATEMENT. IF DEPARTMENT IS UNWILLING TO USE 50 TO 100 ESTIMATE, REFERENCE TO AROUND 60 PERSONS WOULD BE PREFERABLE.

E. IN THE SECTION ON INVASION OF THE HOME, THE REFERENCE IN THE PREVIOUS DRAFT TO GN INVADING HOMES AND CHURCHES "UNDER STATE OF SEIGE" HAS BEEN CHANGED TO "DURING 1977 -". THIS CHANGE FORCES US TO RECOMMEND A FURTHER CHANGE. BECAUSE FSLN OPERATIONS AND GN RESPONSES UNDERWENT A SHIFT DURING 1977 FROM RURAL OPERATIONS TO URBAN ATTACKS THE PROBLEM OF OCCUPATION OF RURAL CHURCHES AND HOMES CHANGED. THE EMBASSY HAS RECEIVED NO COMPLAINTS FROM THE CHURCH OF ANY FURTHER OCCUPATION OF CHURCHES DURING 1977. THEREFORE, THE SECTION SHOULD READ: "THERE HAVE BEEN SOME REPORTS OF THE NATIONAL GUARD INVADING HOMES DURING 1977. THESE REPORTED INCIDENTS WERE LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 MANAGU 00320 241704Z

GENERALLY RELATED TO SEARCH OPERATIONS FOR THE FSLN OR ITS SUPPORTERS."

F. IN THE SECTION ON FREEDOM OF THOUGHT THE NEW REFERENCE TO THE RADIO AND TELEVISION CODE IS AN EXAGGERATION. IT WOULD BE CORRECT TO SAY: "HOWEVER, THERE CONTINUES IN FORCE A RADIO AND TELEVISION CODE, WHICH DATES FROM OVER TEN YEARS AGO, WHICH HAS BEEN USED BY THE GON ON A FEW OCCASIONS TO PENALIZE THOSE IT JUDGED TO HAVE BEEN RESPONSIBLE FOR SEDITIOUS OR DEFAMATORY BROADCASTS."

G. THE REFERENCE IN THE PENULTIMATE PARAGRAPH OF THE SAME SECTION TO THE AMNESTY INTERNATIONAL 1977 REPORT SHOULD DESCRIBE IT AS REFERRING TO THE "1974 - 1976 PERIOD" NOT "THE PERIOD SINCE 1974." THE REASON FOR THIS REQUESTED CHANGE IS THAT THE AMNESTY REPORT DOES NOT REFER TO CONDITIONS DURING 1977.

H. IN THE FINAL SECTION REGARDING INVESTIGATION, GREATER ACCURACY WOULD BE SERVED BY THE FOLLOWING REVISION: "THERE HAVE BEEN OUTSIDE INVESTIGATIONS BY AMNESTY INTERNATIONAL (1976) AND THE INTERNATIONAL RED CROSS (1976 AND 1977) AS WELL AS RECENT INTERNAL INVESTIGATIONS BY THE NATIONAL GUARD OF ALLEGATIONS AGAINST IT, BUT THERE HAS BEEN NO INTERNAL OR OUTSIDE INVESTIGATION OF THE ALLEGATIONS AGAINST

THE NATIONAL GUARD FOR WIDESPREAD KILLING OF PEASANTS DURING THE
1975 AND 1976 PERIOD."
SOLAUN

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 24 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MANAGU00320
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780035-0786
Format: TEL
From: MANAGUA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780130/aaaaayps.tel
Line Count: 119
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e5eca1e0-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 13422
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3725551
Secure: OPEN
Status: NATIVE
Subject: HUMAN RIGHTS REPORT
TAGS: SHUM, NU
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/e5eca1e0-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014